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**Europäisches  
Patentamt**

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**European  
Patent Office**

Directorate General 2

**Office européen  
des brevets**

Direction Générale 2

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**Primary Examiner** +49 89 2399-7708  
(substantive examination)

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(Formalities and other matters)



Application No. 05 721 568.3 - 2108	Ref. EPA-64082	Date 02.03.2007
Applicant Showa Denko K.K.		

**Communication pursuant to Article 96(2) EPC**

The examination of the above-identified application has revealed that it does not meet the requirements of the European Patent Convention for the reasons enclosed herewith. If the deficiencies indicated are not rectified the application may be refused pursuant to Article 97(1) EPC.

You are invited to file your observations and insofar as the deficiencies are such as to be rectifiable, to correct the indicated deficiencies within a period

**of 4 months**

from the notification of this communication, this period being computed in accordance with Rules 78(2) and 83(2) and (4) EPC.

One set of amendments to the description, claims and drawings is to be filed within the said period on separate sheets (Rule 36(1) EPC).

**Failure to comply with this invitation in due time will result in the application being deemed to be withdrawn (Article 96(3) EPC).**



NOPPER-JAUNKY, A  
Primary Examiner  
for the Examining Division

Enclosure(s): 1 page/s reasons (Form 2906)

**Bescheid/Protokoll (Anlage)**

Datum  
Date 02.03.2007  
Date

**Communication/Minutes (Annex)**

Blatt  
Sheet 1  
Feuille

**Notification/Procès-verbal (Annexe)**

Anmelde-Nr.:  
Application No.: 05 721 568.3  
Demande n°:

The examination is being carried out on the **following application documents**:

**Description, Pages**

1-40 as originally filed

**Claims, Numbers**

1-12 as originally filed

1. Priority document:

The Applicant is invited to provide a translation of the priority document of the present applicant in one of the official languages of the EPO (art. 88(1) EPC).



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EPO Customer Services

Tel.: +31 (0)70 340 45 00

Date

20.12.06

Reference  
EPA-64082

Application No./Patent No.  
05721568.3 - 2108 PCT/JP2005005641

Applicant/Proprietor  
Showa Denko K.K.

#### Notification of European publication number and information on the application of Article 67(3) EPC

The provisional protection under Article 67(1) and (2) EPC in the individual contracting states becomes effective only when the conditions referred to in Article 67(3) EPC have been fulfilled (for further details, see information brochure of the European Patent Office "National Law relating to the EPC" and additional information in the Official Journal of the European Patent Office).

A request has been made for extension of the patent to: AL BA HR LV MK YU  
See Official Journal 1-2/1994 for further information on provisional protection.

Pursuant to Article 158(1) EPC the publication under Article 21 PCT of an international application for which the European Patent Office is a designated Office takes the place of the publication of a European patent application.

The bibliographic data of the above-mentioned Euro-PCT application will be published on 17.01.07 in Section I.1 of the European Patent Bulletin. The European publication number is 1742606.

In all future communications to the European Patent Office, please quote the application number plus Directorate number.

Receiving Section





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Date  
15.11.06

Reference EPA-64082	Application No./Patent No. 05721568.3-2108-JP2005005641
Applicant/Proprietor Showa Denko K.K.	

### Refund of fees

The following fees were paid in respect of the application 05721568.3:

Fee	Code	Voucher No	Date	Currency	Amount
Examination fee	006	00653307	13.10.06	EUR	1 490,00

### REFUND ORDER

1. In accordance with Art. 12(2) Rules relating to Fees in conjunction with Rule 107(2) EPC, 50 % of the examination fee will be refunded.
2. The refund will be done by:  
CREDITING THE DEPOSIT ACCOUNT 28001027.

Amount refundable:	Code	Currency	Amount	Voucher No
	006	EUR	745,00	00690894
<b>Total:</b>		<b>EUR</b>	<b>745,00</b>	

The Authorising Officer  
Aitken  
(49)(89)23992735





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Date

31-10-2006

Reference  
EPA-64082

Application No./Patent No.  
05721568.3 - 2108 PCT/JP2005005641

Applicant/Proprietor  
Showa Denko K.K.

## Communication pursuant to Rules 109 and 110 EPC

### (1) Amendment of application documents, especially the claims (R. 109 EPC)

The above mentioned international (Euro-PCT) application has entered the European phase, or can do so, once the necessary conditions are fulfilled.

Under Articles 28, 41 PCT, Rules 52, 78 PCT and Rule 86(2) to (4) EPC, the applicant may amend the application documents after receiving the international search report.

**Whether or not he has already done so, he now has a further opportunity to file amended claims or other application documents within a non-extendable time limit of one month after notification of the present communication (R. 109 EPC).**

The claims applicable on expiry of the above time limit, i.e. those filed on entry into the European phase or in response to the present communication, will form the basis for the calculation of any claims fee to be paid (see page 2) and for any supplementary search to be carried out under Article 157(2) EPC (R. 109 EPC).

**(2) Claims fees under Rule 110 EPC**

If the application documents on which the European grant procedure is to be based comprise more than ten claims, a claims fee shall be payable for the eleventh and each subsequent claim within the period provided for in Rule 107(1) EPC.

- ☒ Based on the application documents currently on file, all necessary claims fees have already been paid (or the documents do not comprise more than 10 claims).
- ☐ All necessary fees will be/have been debited automatically according to the automatic debit order.
- ☐ The claims fee due for the claims ..... to ..... were not paid within the above-mentioned period.

Any non-paid claims fee, either based on the current set of claims or on any amended claims to be filed pursuant to Rule 109 EPC (see page 1), may still be validly paid within a non-extendable period of grace of **one month** after notification of this communication.

If a payment is made for only some of the claims, it must be indicated for which claims it is intended. If a claims fee is not paid in due time, the claim concerned is deemed to be abandoned (R. 110(4) EPC).

If claims fees have already been paid, but on expiry of the above-mentioned time limit there is a new set of claims containing fewer fee-incurring claims than previously, the claims fees in excess of those due under Rule 110(2), 2nd sentence, EPC will be refunded (R. 110(3) EPC).

You are reminded that any supplementary search under Article 157(2) EPC will relate only to the last set of claims applicable on expiry of the above time limit AND will be confined to those fee-incurring claims for which fees have been paid in due time.

**The fee for the eleventh and each subsequent claim is EUR 45,00.**

Receiving Section



STREHL SCHÜBEL-HOPF & PARTNER  
PATENTANWÄLTE EUROPEAN PATENT ATTORNEYS

European Patent Office  
80298 München

EPO - Munich  
72  
25. Okt. 2006

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October 25, 2006

05 721 568.3  
Shōwa Denko K.K.  
Our File EPA-64082

We herewith withdraw the priority claim of US Provisional  
application No. 60/558,548.



Dr. Jens Tack  
Association No. 94  
Ta/st



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REC'D 12 SEP 2006

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PCT



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Date

11-09-2006

Reference EPA-64082	Application No./Patent No. 05721568.3 - 2108 PCT/JP2005005641 / ISA EP
Applicant/Proprietor SHOWA DENKO KABUSHIKI KAISHA	

For the aforementioned international application, you are hereby kindly requested to forward to the EPO in its capacity as designated / elected Office:

- ☐ a) The publication of the international search report (Art. 20 PCT).
- ☒ b) the copy of the international preliminary examination report (Art. 36(3)(a) PCT).  
see attachment
- ☐ c) the copy (copies) of the priority document(s). If any document is not available and ISA is not the EP, please indicate below whether the receiving Office has been requested to transmit the document to the International Bureau (Form PCT/RO/101, Box VI; R. 17.1(b) PCT).

☐

EPO-DG 1

05. 10. 2006

Receiving Section  
Vencourova, Lenka

TEAM 14

Answer of the International Bureau (IB): *The requested document has been already communicated to EOs. (see attached)*

- ☐ The requested item [a), b) or c)] is not available with the IB.

Reason: .....

For priority documents [c)] with ISA not EP:

- ☐ The applicant has requested the receiving Office to issue a priority document [c)] pursuant to Rule 17.1(b) PCT, but the IB did not receive it.

The International Bureau



OMPI

WIPO

## Fiche d'accompagnement – Routing slip

A To EO/EP		
Pour suite à donner		For action
Pour approbation		For approval
Pour signature		For signature
Projet à rédiger		Prepare draft
Pour observations		For comments
Pourrions-nous en parler ?		May we discuss?
Votre attention		Your attention
Comme convenu		As discussed
Suite à votre demande	X	As requested
Noter et classer		Note and file
Noter et retourner		Note and return
Pour information	X	For information

Date

13 Sep 06

De/From

Y. Nakamura